

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Services and Facilities of Southern California Edison Company and San Diego Gas and Electric Company Associated with the San Onofre Nuclear Generating Station Units 2 and 3.

Investigation 12-10-013

And Related Matters.

Application 13-01-016
 Application 13-03-005
 Application 13-03-013
 Application 13-03-014

**DECISION GRANTING COMPENSATION TO THE UTILITY REFORM
 NETWORK FOR SUBSTANTIAL CONTRIBUTION TO DECISION 18-07-037**

Intervenor: The Utility Reform Network	For contribution to Decision (D.) 18-07-037
Claimed: \$222,415.89	Awarded: \$222,412.14
Assigned Commissioner: Marybel Batjer	Assigned ALJ: Darcie L. Houck

PART I: PROCEDURAL ISSUES:

A. Brief description of Decision:	The Decision adopts the 2018 Settlement Agreement between TURN, other parties, Southern California Edison, and San Diego Gas & Electric resolving cost responsibility for the premature retirement of the San Onofre Nuclear Generating Station (SONGS). The Decision requires one modification to the Settlement submitted by the parties.
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812¹:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	January 8, 2013	Verified
2. Other specified date for NOI:		
3. Date NOI filed:	February 6, 2013	Verified
4. Was the NOI timely filed?		Yes
Showing of eligible customer status (§ 1802(b) or eligible local government entity status (§§ 1802(d), 1802.4)):		
5. Based on ALJ ruling issued in proceeding number:	A.12-11-009	Verified
6. Date of ALJ ruling:	September 6, 2013	Verified
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
Showing of “significant financial hardship” (§1802(h) or §1803.1(b)):		
9. Based on ALJ ruling issued in proceeding number:	A.12-11-009	Verified
10. Date of ALJ ruling:	September 6, 2013	Verified
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		Yes

¹ All statutory references are to California Public Utilities Code unless indicated otherwise.

Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.18-07-037	Verified
14. Date of issuance of Final Order or Decision:	August 2, 2018	Verified
15. File date of compensation request:	September 28, 2018	Verified
16. Was the request for compensation timely?		Yes

PART II: SUBSTANTIAL CONTRIBUTION:

A. Did the Intervenor substantially contribute to the final decision (*see* § 1802(j), § 1803(a), 1803.1(a) and D.98-04-059):

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
1. REOPENING OF PROCEEDING TURN argued that disclosures detailing extensive unreported <i>ex parte</i> communications between Southern California Edison and CPUC Decisionmakers during the course of the Investigation justify reopening the proceeding and determining the appropriate allocation of SONGS-related costs based on testimony, hearings and briefing. TURN withdrew its support for the 2014 settlement agreement and recommended that the Commission consider potential adjustments to the Settlement that would assign greater responsibility to SCE and SDG&E shareholders. TURN noted that the failure of the parties to reach a new agreement after an extensive meet-	<u>Response of TURN to the Amended Petition for Modification of D.14-11-040 by A4NR, June 25, 2015.</u> <u>Opening Brief of TURN Addressing Whether the Adopted Settlement Satisfies Commission Standards, July 7, 2016</u> <u>Proposal of TURN for Moving Forward with the Investigation, August 15, 2017.</u> <u>Status Conference Issue Statement of TURN, CLECA, and DACC, October 30, 2017</u> <u>TURN/CLECA/DACC protest to SDG&E Advice Letter 3127-E, October 25, 2017.</u> <u>TURN protest to SCE Advice Letter 3685-E, November 21, 2017.</u>	Noted

<p>and-confer process justified further litigation to consider 9 specific modifications to the previously adopted settlement. TURN also coordinated with CLECA and DACC to protest SDG&E's efforts to seek recovery of arbitration litigation costs and urge that the Advice Letter be suspended pending the resolution of ongoing litigation. TURN additionally protested SCE's proposed 2018 SONGS revenue requirement.</p> <p>The Commission agreed with TURN that the unreported <i>ex parte</i> communications "leave serious doubt as to whether the Agreement resulted from a good faith negotiation process." (December 13, 2016 ruling, page 32) In light of this finding, the Commission directed parties to meet and confer to determine the potential for agreement on modifications to the Settlement adopted in D.14-11-040. The Commission specifically encouraged the parties to consider a series of specific modifications proposed by TURN (December 13, 2016 ruling, page 38). After parties failed to reach an agreement to modify the</p>	<p><u>Joint Ruling of Assigned Commissioner and Assigned Administrative Law Judge Directing Parties to Provide Additional Recommendations for Further Procedural Action and Substantive Modifications to D.14-11-040, December 13, 2016.</u></p> <p><u>Ruling of Assigned Commissioner and Administrative Law Judge Setting Status Conference, October 10, 2017</u></p> <p><u>Ruling of Assigned Commissioner and Administrative Law Judge Setting Schedule and Clarifying Issues for Evidentiary Hearings, January 8, 2018</u></p> <p><u>SDG&E AL 3127-E Suspension notice, CPUC Energy Division, November 6, 2017.</u></p> <p><u>SCE AL 3685-E Suspension notice, CPUC Energy Division, December 1, 2017.</u></p>	
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<p>2014 Settlement, the Commission subsequently identified TURN's proposed modifications as specific issues to be addressed through testimony and briefing (October 10, 2017 ruling, pages 10-11). The Commission further suspended the implementation of SDG&E AL 3127-E in response to the protest of TURN/CLECA/DACC and suspended SCE AL 3685-E in response to the protest of TURN.</p>		
<p>2. SETTLEMENT OF REMAINING ISSUES TURN participated in the extensive meet-and-confer process that ultimately produced a new settlement supported by every active party and resolved all contested issues in the proceeding. The settlement reallocates responsibility for \$775 million of the remaining SONGS regulatory asset from customers to SCE and SDG&E shareholders. The settlement does not identify the specific treatment of individual cost elements, instead providing a single lump sum reallocation of costs to reflect all disputed issues in the proceeding. This reduction in cost responsibility represents incremental ratepayer savings relative to the 2014</p>	<p><u>Joint Motion for Adoption of Settlement Agreement, January 30, 2018</u></p> <p><u>D.18-07-037</u></p>	<p>Noted</p> <p>Verified</p>

<p>settlement agreement.</p> <p>The Commission adopted the new Settlement agreement with one modification relating to the disbursement of funds for Greenhouse Gas research programs. As a result, revenue collections relating to SONGS for both SCE and SDG&E ended in late December of 2017 with all excess collections refunded to ratepayers.</p>		
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B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor's Assertion	CPUC Discussion
a. Was the Public Advocate's Office of the Public Utilities Commission (Cal PA) a party to the proceeding? ²	Yes	Verified
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Verified
c. If so, provide name of other parties: California Large Energy Consumers Association, Direct Access Customer Coalition, Women's Energy Matters, Coalition to Decommission San Onofre, Ruth Henricks, Alliance for Nuclear Responsibility		Verified
d. Intervenor's claim of non-duplication: TURN coordinated extensively with all active parties during the period of the proceeding covered by this compensation request. Specifically, TURN worked with Cal PA to assess differences between the notes provided by the California Attorney General's office and the 2014 settlement agreement. TURN also worked with CLECA and DACC on joint filings relating to setting aside the settlement and proceeding with litigation. And TURN worked with all parties participating in the meet-and-confer process to develop joint settlement offers and negotiate with utility representatives. TURN's Executive Director was also selected by all parties to serve as the facilitator for several of the meet-and-confer sessions.		Noted

² The Office of Ratepayer Advocates was renamed the Public Advocate's Office of the Public Utilities Commission pursuant to Senate Bill No. 854, which the Governor approved on June 27, 2018.

<p>TURN made significant unique investments of time in developing specific modifications to be considered in both the meet-and-confer process and subsequent litigation. Most, if not all, of these specific modifications were endorsed by other consumer parties. Other parties relied upon TURN to assess the monetary impact of various proposals made in the course of the meet-and-confer process for purposes of assessing the reasonableness of settlement offers. Finally, TURN provided other active parties assistance in identifying relevant regulatory precedents and potential impact of settlement provisions on issues pending in other proceedings.</p> <p>With respect to the pending litigation that was avoided through the settlement, TURN coordinated with A4NR, CLECA, DACC and WEM to jointly rely on a set of expert witnesses that would address each of the areas of cost allocation subject to dispute. Reducing the total number of witnesses to be sponsored by these parties allowed TURN and other intervenors to lower the overall costs of participation and eliminate duplicative expert testimony.</p> <p>To the extent that duplication occurred, it was unavoidable due to the large number of parties actively engaged in the case. TURN worked diligently to ensure that its involvement uniquely added to the collective efforts of consumer parties to achieve a modified settlement that provided significant incremental benefits to customers.</p>	
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PART III: REASONABLENESS OF REQUESTED COMPENSATION:

A. General Claim of Reasonableness (§ 1801 and § 1806):

	CPUC Discussion
<p>a. Intervenor's claim of cost reasonableness:</p> <p>As demonstrated in the substantial contribution section, TURN's participation had an extraordinarily significant impact on the outcome of the core issues resolved in this proceeding. The Commission's ruling authorizing renewed litigation on the reasonableness of the 2014 settlement was heavily influenced and shaped by TURN's participation. The new settlement adopted by the Commission was a product of extended negotiations where TURN played a central role. The revised settlement resulted in shareholders absorbing \$775 million of the remaining SONGS regulatory asset, a result that eliminates approximately \$873 million in future revenue requirements (Joint Motion for Settlement Adoption, page 6). The reduction in customer responsibility is incremental to the savings achieved in</p>	Noted

<p>the 2014 settlement.</p> <p>Given the very specific and substantial rate reductions achieved for customers of SCE and SDG&E, the benefits associated with TURN's participation far exceed (by orders of magnitude) the cost of TURN's participation in this proceeding. TURN's claim should be found to be reasonable.</p>	
<p>b. Reasonableness of hours claimed:</p> <p>Given TURN's contributions to the final resolution of all remaining issues in this proceeding, the amount of time devoted by its staff is fully reasonable. TURN devoted the minimum number of hours to reviewing rulings, drafting pleadings, reading comments submitted by other parties, and evaluating proposed decisions. TURN's pleadings were highly substantive given the amount of time devoted to the task.</p> <p>The number of hours devoted to the wide range of issues and process in this case demonstrates the efficiency of TURN's staff. Moreover, the time devoted to each task was reasonable in light of the complexity of the issues presented. Given the remarkable level of success achieved by TURN in this proceeding, the amount of time devoted by staff to the process should be found to be fully reasonable.</p> <p><u>Reasonableness of Staffing</u></p> <p>TURN's lead attorney was Matthew Freedman. Mr. Freedman drafted all pleadings, reviewed and drafted data requests, served as TURN's lead negotiator during the meet-and-confer sessions, and was the primary interface for other intervenors and the utilities. Mr. Freedman also consulted with TURN General Counsel Robert Finkelstein and TURN legal director Tom Long on legal matters arising in the course of the proceeding. The involvement of Mr. Long and Mr. Finkelstein was necessary given the importance of the proceeding, the unique legal issues raised by the specific facts in the case, and the importance of ensuring that TURN's positions were consistent across multiple proceedings. The number of hours recorded by these individuals is modest, was necessary to ensure effective participation, and did not represent any internal duplication of effort by TURN's legal staff.</p> <p><u>Mark Toney</u></p> <p>TURN Executive Director Mark Toney served a critical role in the meet-and-confer process authorized in the December 13, 2016 ruling of the Assigned Commissioner and Administrative</p>	<p>Noted</p>

Law Judge. Dr. Toney engaged in this process to assist with negotiations and was selected by all parties to serve as a facilitator for several of the meetings. Dr. Toney remained involved throughout the process that led to the settlement of all disputed issues and attended all face-to-face meetings along with Mr. Freedman. Dr. Toney's involvement was essential to the establishment of constructive dialogue between utilities and consumer representatives. His mediation and communication skills were used to keep negotiations alive despite a series of setbacks and challenges that threatened to derail the meet and confer process. Absent the involvement of Dr. Toney, it is not clear whether a settlement would have been achieved in this proceeding.

Barbara Barkovich

TURN retained the services of Dr. Barbara Barkovich to sponsor testimony on the appropriate rate of return for utility assets permanently removed from service. This testimony was prepared in anticipation of evidentiary hearings scheduled for April 2018 and would have been relied upon by multiple intervenors to support their briefs on this topic. Dr. Barkovich reviewed the litigation positions of SCE and SDG&E, drafted discovery, and prepared testimony that would have been submitted had the case not settled. Because the settlement was filed on January 30, approximately three weeks before the February 23 deadline for testimony, it was reasonable for TURN to devote time to the preparation of testimony on this topic.

Kevin Woodruff

TURN relied upon Kevin Woodruff to sponsor testimony on the appropriate computation and treatment of replacement power costs. Mr. Woodruff provided testimony on this topic in Phase 1 of I.12-10-013. Mr. Woodruff began preparing testimony in anticipation of evidentiary hearings scheduled for April 2018. This testimony would have been jointly relied upon by multiple intervenors to support their briefs on this topic. Mr. Woodruff drafted discovery, made efforts to begin the computation of replacement power costs, and began initial preparation of testimony that would have been submitted had the case not settled. Because the settlement was filed on January 30, approximately three weeks before the February 23 deadline for testimony, it was reasonable for TURN to devote time to the preparation of testimony.

Travel costs

As part of the meet-and-confer process, the parties agreed to

<p>hold a number of mediation sessions in southern California at the offices of SCE's outside counsel and the offices of the mediator selected to assist with the case. TURN staff were required to travel to attend these sessions and, in some cases, incur hotel costs. In addition, the Commission held two status conferences at the CPUC office in Los Angeles and ordered a Public Participation Hearing in Southern California. All the costs incurred by TURN to attend these events were necessary to participate in the process and reasonable in their amount.</p> <p><u>Compensation Request</u></p> <p>TURN's request also includes 12 hours devoted to the preparation of compensation-related filings. The time devoted to this compensation request is appropriate and should be found to be reasonable.</p>	
<p>c. Allocation of hours by issue:</p> <p>TURN has allocated all of our attorney time by issue area or activity, as evident on our attached timesheets. The following codes relate to specific substantive issue and activity areas addressed by TURN. TURN also provides an approximate breakdown of the number of hours spent on each task and the percentage of total hours devoted to each category.</p> <p>GP – 34.25 hours – 6% of total</p> <p>General Participation work essential to participation that typically spans multiple issues and/or would not vary with the number of issues that TURN addresses. This includes reviewing Commission rulings, pleadings submitted by other parties and proposed decisions. TURN also includes several hours in this category devoted to CPUC prehearing conferences and status conferences.</p> <p>REOPEN – 137.75 hours – 25% of total</p> <p>Work relating to TURN's advocacy seeking a reopening of the proceeding, proposing modifications to the previously adopted Settlement, identifying issues to be resolved through litigation and preparing testimony/case strategy relating the reopened proceeding.</p> <p>SETTLEMENT – 368.5 hours – 68% of total</p> <p>Work relating to the meet-and-confer process that led to the development of a new settlement agreement and efforts to seek Commission approval of the settlement.</p> <p>TRAVEL – 42.5 hours</p> <p>Time spent traveling to mediation sessions in Southern California, formal hearings at the CPUC's Los Angeles office and the Public Participation Hearing in Southern California.</p> <p>COMP – 12 hours</p> <p>Work preparing TURN's notice of intent to claim compensation</p>	Noted

and the final request for compensation.

TURN submits that under the circumstances this information should suffice to address the allocation requirement under the Commission's rules. Should the Commission wish to see additional or different information on this point, TURN requests that the Commission so inform TURN and provide a reasonable opportunity for TURN to supplement this showing accordingly.

B. Specific Claim:*

Claimed						CPUC Award		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Matthew Freedman	2015	42.5	\$410	D.16-06-024	\$17,425.00	42.50	\$410.00	\$17,425.00
Matthew Freedman	2016	35.75	\$415	D.16-06-024	\$14,836.25	35.75	\$415.00	\$14,836.25
Matthew Freedman	2017	183.25	\$425	D.18-01-017	\$77,881.25	183.25	\$425.00	\$77,881.25
Matthew Freedman	2018	79.75	\$435	D.18-04-020	\$34,691.25	79.75	\$435.00	\$34,691.25
Robert Finkelstein	2015	0.5	\$505	D.16-11-004	\$252.50	0.50	\$505.00	\$252.50
Robert Finkelstein	2016	1	\$510	D.16-11-004	\$510.00	1.00	\$510.00	\$510.00
Robert Finkelstein	2017	1.75	\$520	D.17-11-032	\$910.00	1.75	\$520.00	\$910.00
Robert Finkelstein	2018	1.5	\$530	D.17-11-032, Res ALJ-352	\$795.00	1.50	\$530.00	\$795.00
Tom Long	2015	1.75	\$570	D.16-11-004	\$997.50	1.75	\$570.00	\$997.50
Tom Long	2016	0.75	\$575	D.16-11-004	\$431.25	0.75	\$575.00	\$431.25
Tom Long	2017	1.25	\$585	D.17-11-029	\$731.25	1.25	\$585.00	\$731.25
Tom Long	2018	---	---	---	---	0.25 [A]	\$585.00	\$146.25
Mark Toney	2016	2	\$300	See Comment #1	\$600.00	2.00 [B]	\$300.00	\$600.00
Mark Toney	2017	109.5	\$300	See Comment #1	\$32,850.00	109.50 [B]	\$300.00	\$32,850.00
Mark Toney	2018	47	\$300	See Comment #1	\$14,100.00	47.00 [B]	\$300.00	\$14,100.00
Kevin Woodruff	2017	10	260	D.17-11-029	\$2,600.00	10.00	\$260.00	\$2,600.00
Barbara Barkovich	2017	19.5	300	See Comment #2	\$5,850.00	19.50 [C]	\$300.00	\$5,850.00
Barbara Barkovich	2018	2.5	300	See Comment #2	\$750.00	2.50 [C]	\$300.00	\$750.00
Subtotal: \$206,361.25						Subtotal: \$206,357.50 [D]		
OTHER FEES								

Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Matthew Freedman	2017	10.5	\$212.5	50% of authorized rate	\$2,231.25	10.50	\$212.50	\$2,231.25
Matthew Freedman	2018	9	\$217.5	50% of authorized rate	\$1,957.50	9.00	\$217.50	\$1,957.50
Mark Toney	2017	14	\$150	50% of requested rate - see Comment #1	\$2,100.00	14.00	\$150.00	\$2,100.00
Mark Toney	2018	9	\$150	50% of requested rate - see Comment #1	\$1,350.00	9.00	\$150.00	\$1,350.00
Subtotal: \$7,638.75						Subtotal: \$7,638.75		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Matthew Freedman	2018	12	\$217.5	50% of 2018 rate (D.18-04-020)	\$2,610.00	12.00	\$217.50	\$2,610.00
Subtotal: \$2,610.00						Subtotal: \$2,610.00		
COSTS								
#	Item	Detail			Amount	Amount		
1	Travel	Travel to Los Angeles for meet-and-confer sessions, appearances at CPUC in Los Angeles and travel to Public Participation Hearing. Includes lodging and rental car.			\$5,765.25	\$5,765.25		
2	Copies	Copies for pleadings			\$9.00	\$9.00		
3	LEXIS fees	Costs of legal research regarding historical precedents relevant to the litigation of issues in this proceeding			\$18.94	\$18.94		
4	Postage	Costs of mailing copies of pleadings and testimony			\$12.70	\$12.70		
Subtotal: \$5,805.89						Subtotal: \$5,805.89		
TOTAL REQUEST: \$222,415.89						TOTAL AWARD: \$222,412.14		
*We remind all intervenors that Commission staff may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§1804(d)). Intervenors must make and retain adequate accounting and other documentation to								

support all claims for intervenor compensation. Intervenor's records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.

****Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer's normal hourly rate**

ATTORNEY INFORMATION

Attorney	Date Admitted to CA BAR ³	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation
Matthew Freedman	March 29, 2001	214812	No
Robert Finkelstein	June 1990	146391	No
Tom Long	December 1986	124776	No

C. Attachments Documenting Specific Claim and Comments on Part III:

Attachment or Comment #	Description/Comment
Attachment 1	Certificate of Service
Attachment 2	Daily Time Records for Attorneys and Experts
Attachment 3	Cost/expense details
Comment 1	<p>Hourly Rate for Mark Toney</p> <p>TURN requests an hourly rate of \$300 for Executive Director Mark Toney, Ph.D. Dr. Toney has been involved in energy and utility issues for nearly 25 years as an organizer and advocate focusing on the concerns of low-income utility customers. Dr. Toney brings significant expertise in negotiation, facilitation, and resolution of complex multi-party disputes relating to utility issues. This rate is near the midpoint of the hourly rate range for experts with 13+ years of experience (\$175-\$435 for 2017).</p> <p>Dr. Toney has served as TURN Executive Director since January of 2008. Prior to his role at TURN, Dr. Toney ran a nonprofit consulting business focused on coaching executive directors and effective strategic planning. From 1999 to 2003, Toney served as the Executive Director of the Center for Third World Organizing (CTWO) in Oakland where he organized to elevate the voices of low-income women of color fighting for gender and racial equity in the national debate on welfare reauthorization.</p>

³ This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

	<p>Dr. Toney founded Direct Action for Rights and Equality (DARE) in Providence, Rhode Island, and served as its Executive Director from 1986 until 1994 where he worked on issues such as restructuring federal heating assistance funds for low-income customers and developing proposals that would reduce utility bills and service disconnections. In 1992, Dr. Toney was appointed by the Governor of Rhode Island to serve as a Commissioner on the Energy Coordinating Council where he represented the interests of residential ratepayers in the debate over electricity restructuring. From 1982 until 1985, Dr. Toney was Lead Organizer with Workers Association for Guaranteed Employment, organizing low-income residents in Providence to fight for the restoration of electric and gas service for customers of major investor-owned utilities.</p> <p>Given both his 12 years of experience working on utility issues in Rhode Island and his 10+ years serving as the Executive Director of TURN, Dr. Toney should receive an hourly rate for experts with at least 13 years of experience. TURN's request for an hourly rate of \$300 is comparable to the \$305 hourly rate awarded for Orson Aguilar (for work performed in 2016) who serves as the Executive Director of the Greenlining Institute (in D.16-09-032) and had almost 20 years of experience when that rate was approved by the Commission.</p> <p>Toney received his BA from Brown University and holds a Doctorate in Sociology from the University of California at Berkeley. He is also Kellogg National Leadership Fellow. He has co-authored numerous articles and serves on a variety of non-profit boards for major organizations such as the ACLU Northern California and the Consumer Federation of California.</p> <p>TURN submits that this information should suffice to justify the requested hourly rate. Should the Commission wish to see additional supporting information (such as a resume/CV), TURN requests that the Commission so inform TURN and provide a reasonable opportunity for TURN to supplement this showing accordingly.</p>
Comment 2	<p>Hourly Rate for Barbara Barkovich</p> <p>TURN requests an hourly rate of \$300 for Dr. Barbara Barkovich. Dr. Barkovich has over 30 years of experience as a consultant and expert witness on energy and regulatory matters. She has developed a large body of expert witness testimony on matters including marginal cost, cost allocation and rate design, demand response and dynamic pricing, electric industry restructuring, and electric resource analysis and planning. This rate is near the midpoint of the hourly rate range for experts with 13+ years of experience (\$175-\$435 for 2017).</p> <p>Dr. Barkovich has served as a court-appointed expert (U.S Court of Federal Claims), mediator, and arbitrator in the electricity industry area. She began her career working on energy and environment issues for the National Science Foundation in 1974-75. Dr. Barkovich worked for the California Public Utilities Commission from 1975 to 1983, in positions</p>

	<p>ranging from Commissioner’s advisor to Director of Policy and Planning. In her time at the Commission, she dealt with broad energy policy issues, as well as revenue allocation and rate design, marginal cost development, electric resource issues, including transmission and generation, and represented the Commission at the Legislature, the Governor’s Office, and Congress. Dr. Barkovich subsequently spent almost two years running a short-term financing program at a major bank holding company. She has been an expert witness and consultant since 1985, having testified frequently in CPUC proceedings on behalf of large industrial customers.</p> <p>Dr. Barkovich is currently Chairperson of the Board of the restructured California Power Exchange, a position she has held since 2003. She has also served on the California Independent System Operator Governing Board, on the Trust Advisory Committees that set up the reorganized California electricity structure and markets, and the Energy Engineering Board of the National Research Council.</p> <p>Given her 30+ years of relevant experience, Dr. Barkovich should receive an hourly rate for experts with at least 13 years of experience. TURN’s request for an hourly rate of \$300 is comparable to the \$365 hourly rate awarded for TURN expert Bruce Lacy in 2016 (D.17-01-027) and the \$280 hourly rate for TURN expert Cathy Yap in 2016 (D.17-04-014). Both Mr. Lacy and Ms. Yap have more than 30 years of relevant experience.</p> <p>She holds a BA in Physics from the University of California at San Diego, an MS in Urban and Policy Sciences from the State University of New York at Stony Brook, and a Ph.D. in Energy and Resources from the University of California at Berkeley.</p> <p>TURN submits that this information should suffice to justify the requested hourly rate. Should the Commission wish to see additional supporting information (such as a resume/CV), TURN requests that the Commission so inform TURN and provide a reasonable opportunity for TURN to supplement this showing accordingly.</p>
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D. CPUC Comments, Disallowances, and Adjustments:

Item	Reason
[A]	Reported but unclaimed hours for Long in 2018 was 0.25 hours.
[B]	Commission finds reasonable a rate of \$300.00 per hour for Toney in 2016, 2017, and 2018.
[C]	Commission finds reasonable a rate of \$300.00 per hour for Barkovich in 2017, and 2018.
[D]	Subtotal for Attorney, Expert, and Advocate Fees is \$206,357.50.

PART IV: OPPOSITIONS AND COMMENTS:

(Within 30 days after service of this Claim, Commission Staff or any other party may file a response to the Claim (*see* § 1804(c)))

A. Opposition: Did any party oppose the Claim?	No
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B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(c)(6))?	Yes
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FINDINGS OF FACT

1. The Utility Reform Network has made a substantial contribution to D.18-07-037.
2. The requested hourly rates for The Utility Reform Network's representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$222,412.14.

CONCLUSION OF LAW

1. The Claim, with any adjustment set forth above, satisfies all requirements of Pub. Util. Code §§ 1801-1812.

ORDER

1. The Utility Reform Network shall be awarded \$222,412.14.

2. Within 30 days of the effective date of this decision, Southern California Edison Company ratepayers, and San Diego Gas and Electric Company ratepayers shall pay The Utility Reform Network their respective shares of the award, based on their California-jurisdictional electric revenues for the 2017 calendar year, to reflect the year in which the proceeding was primarily litigated. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning December 13, 2018, the 75th day after the filing of The Utility Reform Network's request, and continuing until full payment is made.

3. The comment period for today's decision is waived.

This decision is effective today.

Dated _____, 2019, at Los Angeles, California.

APPENDIX

Compensation Decision Summary Information

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D1807037		
Proceeding(s):	I1210013, A1301016, A1303005, A1303013, A1303014		
Author:	ALJ Houck		
Payer(s):	Southern California Edison Company ratepayers, and San Diego Gas and Electric Company ratepayers		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
The Utility Reform Network	9/28/18	\$222,415.89	\$222,412.14	N/A	Difference reported hours and mathematical errors.

Hourly Fee Information

First Name	Last Name	Attorney, Expert, or Advocate	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Matthew	Freedman	Attorney	\$410.00	2015	\$410.00
Matthew	Freedman	Attorney	\$415.00	2016	\$415.00
Matthew	Freedman	Attorney	\$425.00	2017	\$425.00
Matthew	Freedman	Attorney	\$435.00	2018	\$435.00
Robert	Finkelstein	Attorney	\$505.00	2015	\$505.00
Robert	Finkelstein	Attorney	\$510.00	2016	\$510.00
Robert	Finkelstein	Attorney	\$520.00	2017	\$520.00
Robert	Finkelstein	Attorney	\$530.00	2018	\$530.00
Tom	Long	Attorney	\$570.00	2015	\$570.00
Tom	Long	Attorney	\$575.00	2016	\$575.00
Tom	Long	Attorney	\$585.00	2017	\$585.00
Tom	Long	Attorney	\$600.00	2018	\$600.00
Mark	Toney	Expert	\$300.00	2016	\$300.00
Mark	Toney	Expert	\$300.00	2017	\$300.00
Mark	Toney	Expert	\$300.00	2018	\$300.00
Kevin	Woodruff	Expert	\$260.00	2017	\$260.00
Barbara	Barkovich	Expert	\$300.00	2017	\$300.00
Barbara	Barkovich	Expert	\$300.00	2018	\$300.00

(END OF APPENDIX)